

HOUSE No. 4007

The Commonwealth of Massachusetts

PRESENTED BY:

Todd M. Smola

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to criminalize the operation of a motor vehicle while in possession of marijuana.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Todd M. Smola	1st Hampden
Jeffrey Davis Perry	5th Barnstable
Richard J. Ross	9th Norfolk
Elizabeth Poirier	14th Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO CRIMINALIZE THE OPERATION OF A MOTOR VEHICLE WHILE IN POSSESSION OF MARIJUANA.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 24I of chapter 90 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following subsections:-

(d) Any person while in the operation of a motor vehicle, and based upon probable cause, is found to be in possession of any amount of marijuana, shall be punished in accordance with the provisions of section 34 of chapter 94C and loss of driver's license for 1 year..

(e) Possession shall also include any marijuana that is discovered within the immediate reach of the operator, inclusive of passengers, based upon probable cause. Such violation shall be subject to the same penalties as contained in subsection (d).